

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BRENDA HILL, *et al.*,

No. 3:10-cv-02833-LB

Plaintiffs,

CASE-MANAGEMENT ORDER

v.

KAISER FOUNDATION HEALTH PLAN;
KAISER FOUNDATION HOSPITALS, INC.,
and THE PERMANENTE MEDICAL GROUP,
INC.; all doing business as KAISER
PERMANENTE MEDICAL CARE PROGRAM,

Defendants.

The court previously denied the plaintiffs' motion to enforce the settlement agreement and Mr. Friedman's motion for fees from Kaiser. (*See* 9/1/2015 Order, ECF No. 236.¹) The court directed the parties to file a joint case-management conference statement with their proposal to address Mr. Friedman's fee dispute with the plaintiffs. (*Id.* at 20.) They did not do so and instead submitted separate statements. (*See* ECF Nos. 244, 246.) The court held a scheduling hearing on November 12, 2015 and was not able to broker any scheduling agreement or agreement about an ADR process. (*See* Minute Order, ECF No. 248.) The court now issues this case-management order.

First, the court will address the fees dispute by the ordinary fees motion process and will not

¹ Citations are to the Electronic Case File ("ECF"); pin cites are to the ECF-generated page numbers at the tops of the documents.

order pre-filing disclosure of declarations (as Mr. Friedman suggests at ECF No. 244 at 5 for all parties and as the plaintiffs suggest at ECF No. 246 at 4 for Mr. Friedman). Mr. Friedman may notice his motion on the ordinary five-week schedule for any available Thursday at 9:30 a.m. The motion must include supporting declarations establishing 1) Mr. Friedman's entitlement to fees by contract (via authenticated fee agreements or otherwise) and 2) the billing records that support a lodestar cross-check. The last day to file the motion will be January 7, 2016, which means that Mr. Friedman may file it earlier but must file it by January 7, 2016.

Second, if there are issues regarding the filing dates because of the holidays, the parties must confer first, try to work out their scheduling issues, and submit a stipulated proposed order. If they cannot resolve a scheduling dispute, then they must file a joint request for a court order to decide the dispute. They must capture their differences in a chart with a column for the court's order:

Case Event	P's Date	D's Date	Court Order

Third, the court will address any ancillary matters (such as those mentioned in Mr. Friedman's statement at ECF No. 244) in the context of full briefing.

Fourth, for internal control reasons, the court sets a control case-management conference for February 11, 2016 at 11 a.m.

IT IS SO ORDERED.

Dated: December 3, 2015



LAUREL BEELER
United States Magistrate Judge